

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

\_\_\_\_\_,

**Plaintiff,**

v.

**Civil Action \_\_:\_\_\_-cv-\_\_\_  
Judge \_\_\_\_\_  
Magistrate Judge Jolson**

\_\_\_\_\_,

**Defendant.**

**RULE 26(f) REPORT**

Pursuant to Federal Rule of Civil Procedure 26(f), a meeting was held on \_\_\_\_\_ and was attended by:

\_\_\_\_\_, counsel for plaintiff(s) \_\_\_\_\_,

\_\_\_\_\_, counsel for plaintiff(s) \_\_\_\_\_,

\_\_\_\_\_, counsel for defendant(s) \_\_\_\_\_,

\_\_\_\_\_, counsel for defendant(s) \_\_\_\_\_,

Counsel represent that, during the meeting, they engaged in a meaningful attempt to meet and confer on the matters outlined below.

1. **CONSENT TO MAGISTRATE JUDGE**

Do the parties consent to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c)?

\_\_\_\_ Yes \_\_\_\_ No

2. **INITIAL DISCLOSURES**

Have the parties agreed to make initial disclosures?

\_\_\_\_ Yes \_\_\_\_ No

If yes, such initial disclosures shall be made by \_\_\_\_\_. within 60 days of the Court's ruling on the pending Motion to Dismiss.

3. VENUE AND JURISDICTION

Are there any contested issues related to venue or jurisdiction?

Yes  No

If yes, the parties agree that any motion related to venue or jurisdiction shall be filed by \_\_\_\_\_.  
Defendants' Motion to Dismiss (already filed) argues for abstention. That is the only contested issue related to venue or jurisdiction that the parties foresee at this time.

4. PARTIES AND PLEADINGS

- a. The parties agree that any motion to amend the pleadings or to join additional parties shall be filed by \_\_\_\_\_.
- b. If the case is a class action, the parties agree that the motion for class certification shall be filed by \_\_\_\_\_.

5. MOTIONS

- a. Are there any pending motion(s)?

Yes  No

If yes, indicate which party filed the motion(s), and identify the motion(s) by name and docket number:  
Defendants' Motion to Dismiss - Docket No.6

- b. Are the parties requesting expedited briefing on the pending motion(s)?

Yes  No

If yes, identify the proposed expedited schedule:

Opposition to be filed by \_\_\_\_\_; Reply brief to be filed by \_\_\_\_\_.

6. ISSUES

Jointly provide a brief description of case, including causes of action set forth in the complaint, and indicate whether there is a jury demand:

7. DISCOVERY PROCEDURES

- a. The parties agree that all discovery shall be completed by \_\_\_\_\_. The parties agree to schedule their discovery in such a way as to require all responses to discovery to be served prior to the cut-off date, and to file any motions relating to discovery within the discovery period unless it is impossible or impractical to do so.
- b. Do the parties anticipate the production of ESI? \_\_\_\_ Yes \_\_\_\_ No

If yes, describe the protocol for such production:

- c. Do the parties intend to seek a protective order or clawback agreement?  
The parties do not anticipate a protective order or clawback agreement being sought  
If yes, such order or agreement shall be produced to the Court by \_\_\_\_\_.

8. DISPOSITIVE MOTIONS

- a. Any dispositive motions shall be filed by \_\_\_\_\_.
- b. Are the parties requesting expedited briefing on dispositive motions?  
\_\_\_\_ Yes \_\_\_\_ No

If yes, identify the proposed expedited schedule:

Opposition to be filed by \_\_\_\_\_; Reply brief to be filed by \_\_\_\_\_.

9. EXPERT TESTIMONY The parties do not anticipate expert testimony.

- a. Primary expert reports must be produced by \_\_\_\_\_.
- b. Rebuttal expert reports must be produced by \_\_\_\_\_.

10. SETTLEMENT

Plaintiff will make a settlement demand by \_\_\_\_\_. Defendant will respond by \_\_\_\_\_. The parties agree to make a good faith effort to settle this case. The parties understand that this case will be referred to an attorney mediator, or to the Magistrate Judge, for a settlement conference during this Court's settlement week. The parties request the following week:

March 20\_\_; June 20\_\_; September 20\_\_; December 20\_\_

In order for the conference to be meaningful, the parties agree to complete all discovery that may affect their ability to evaluate this case prior to the beginning of settlement week. The parties understand that they will be expected to comply fully with the settlement week orders which require, *inter alia*, that settlement demands and offers be exchanged prior to the conference and that principals of the parties attend the conference.

11. RULE 16 PRETRIAL CONFERENCE

Do the parties request a scheduling conference?

       Yes, the parties would like a conference with the Court prior to it issuing a scheduling order. The parties request that the conference take place \_\_\_\_\_ in chambers \_\_\_\_\_ by telephone.

       No, a conference is not necessary; the Court may issue a scheduling order after considering this Report.

Magistrate Judge Jolson will provide case conferencing instructions for each case, which provide for the use of the AT&T Telephone Conferencing Service. Unless an order of the Court states otherwise, the parties shall use those instructions for all telephonic conferences held in that case.

12. OTHER MATTERS

Indicate any other matters for the Court's consideration:

Signatures:

Attorney for Plaintiff(s):

Counsel for \_\_\_\_\_  
Bar # \_\_\_\_\_

Attorney for Defendant(s):

Counsel for \_\_\_\_\_  
Bar # \_\_\_\_\_

Date: \_\_\_\_\_